

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 EURE-00 SSO-00 NSCE-00 USIE-00 INRE-00

CIAE-00 DODE-00 PM-03 INR-07 L-03 NSAE-00 NSC-05

PA-01 PRS-01 SP-02 SS-15 USIA-06 EB-07 OMB-01 DOTE-00

FAA-00 ACDA-05 IO-10 TRSE-00 /079 W
----- 078097

O R 071736Z JUL 75

FM AMEMBASSY BONN

TO SECSTATE WASHDC IMMEDIATE 1236

INFO USMISSION USBERLIN

AMEMBASSY BERLIN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION NATO BRUSSELS

C O N F I D E N T I A L SECTION 01 OF 02 BONN 10979

E.O. 11652: GDS

TAGS: PGOV, PFOR, WB, GW, GE

SUBJECT: TRANSIT TRAFFIC NEGOTIATIONS -- TELTOW CANAL

REFS: (A) USBERLIN 916

(B) BONN 06872

1. TRIPARTITE MEETING JULY 2 DISCUSSED DRAFT AK
MANDATE TO SENAT CONTAINED REFTEL (A) AND FRENCH RE-
DRAFT THEREOF SUBMITTED BY FRENCH JUNE 18. FRENCH
REP SUGGESTED THAT REFERENCE TO SENAT'S VERMERK WAS
BEST DELETED AS ALLIED KOMMANDATURA HAD TURNED SENAT
DOWN. AS FRG WISHES TO MAKE REGIME FOR TELTOW CANAL
ANALOGOUS TO TRANSIT AGREEMENT, HE SUGGESTED THAT
REFERENCE TO ANNEX III OF QUADRIPARTITE AGREEMENT
(DEALING WITH COMMUNICATION) WAS PROBLEMATIC. AS
THIS SO, SPECIFIC REFERENCE TO TELTOW CANAL, INITIALLY
PROPOSED AT QA NEGOTIATIONS BY ALLIES, HAD BEEN
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DROPPED; THUS ANNEX III COULD NOT READILY BE

CONSIDERED TO HAVE TAKEN OVER FUNCTION OF DROPPED
PROVISION ON CANAL. FRENCH FURTHER SUGGESTED
DELETION OF REFERENCE IN PARA 1 OF LANGUAGE
REFERRING TO "CONCLUDING AN ARRANGEMENT", AS SEVERAL
AGREEMENTS OR ARRANGEMENTS MIGHT ULTIMATELY BE
REQUIRED. HE SAID FRENCH EMBASSY PREFERRED THAT
MANDATE BE IN UNPUBLISHED DOCUMENT HAVING, HOWEVER,
SUFFICIENT STATUS, WITH OPEN OPTION OF LATER PUB-
LICATION, SUCH AS BKC/L. A BK/O (AS SUGGESTED BY
SENAT REPRESENTATIVES) WOULD BE AN INAPPROPRIATE
VEHICLE AS INTENTION IS NOT TO ISSUE LEGISLATION
BUT ONLY AUTHORIZATION AND AS OBJECT OF INSTRUMENT
LIES OUTSIDE OF WSB.

2. UK REPS, WHILE ACCEPTING FRENCH COMMENT CONCERNING
PARA 1, EXPRESSED DOUBTS ABOUT REASONS FOR FRENCH
RESERVATIONS CONCERNING REFERENCE TO QA. WITH
RESPECT TO THE FRENCH DRAFT EQUIVALENT TO PARA 3
OF US/UK MISSION DRAFT CONTAINED REFTEL (A), UK
REPS EXPRESSED PREFERENCE TO DROP SUCH LANGUAGE
ENTIRELY ON GROUND THERE WAS NO NEED TO TELL THE
SENAT WHAT IT CANNOT DO, ESPECIALLY IF THERE WAS
POSSIBILITY THAT DURING SENAT/GDR NEGOTIATIONS ALLIES
MIGHT WISH TO GIVE SENAT GREATER LATITUDE THAN
ORIGINALLY PROVIDED IN MANDATE.

3. FINAL WORDING OF MANDATE AS BKC/L AGREED AD REFER-
ENDUM BUT WITH FRENCH BRACKETS TO BEGINNING PHRASE
MAKING REFERENCE TO QA, IT BEING AGREED THAT THIS MAN-
DATE WOULD BE LIMITED TO AUTHORIZATION TO NEGOTIATE,
A FURTHER AK MANDATE BEING REQUIRED BEFORE
SENAT WOULD BE AUTHORIZED TO CONCLUDE THE NEGOTIATED
AGREEMENT:
BEGIN TEXT

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C O N F I D E N T I A L SECTION 02 OF 02 BONN 10979

WITH REFERENCE TO THE RELEVANT PROVISIONS OF THE
QUADRIPARTITE AGREEMENT OF SEPTEMBER 3, 1971 AND
SUBJECT TO THE PROVISIONS OF BK/L (73)46, THE SENAT
IS HEREBY AUTHORIZED TO ENTER INTO DISCUSSIONS OF AN
EXPLORATORY NATURE WITH THE COMPETENT GDR AUTHORITIES
CONCERNING THE OPENING OF THE TELTOW CANAL. SUCH
EXPLORATORY DISCUSSIONS SHALL BE EXCLUSIVELY CONFINED
TO THE FOLLOWING TECHNICAL ASPECTS OF THE LOCAL
PROBLEMS INVOLVED:

(A) CONSTRUCTION AND MAINTENANCE;

(B) PROVISION OF FUNDS FOR THE WORK REFERRED
TO IN PARA (A), ABOVE;

(C) OWNERSHIP AND USE OF THE MATERIALS USED
IN THE REPAIR AND RECONSTRUCTION OF THE CANAL;
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(D) SUPERVISION OF THE CONDITION OF THE WATER
CHANNEL; AND

(E) EXCHANGE OR LEASING OF AREAS OF WATER.
END TEXT

4. THE EMBASSY WOULD APPRECIATE THE COMMENTS OF
USBERLIN AND THE APPROVAL OF THE DEPARTMENT TO THIS
DRAFT TEXT OF THE MANDATE TO BE GIVEN BY BKC/L TO
THE BERLIN SENAT.
HILLENBRAND

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